



UNIVERSAL  
POSTAL UNION

Berne, 28 March 2005

International Bureau Circular

**121**

Congress decision on extraterritorial offices  
of exchange (ETOE) and its follow-up

Dear Sir/Madam

Pursuant to Congress resolution C 44/2004, member countries were invited in circular letter 2102(DER.PAR)1473 of 29 November 2004 to advise the International Bureau of national legislation or policy that makes the operation of ETOEs on their territory legitimate or authorized. The International Bureau has summarized the replies to the questionnaire received to date. I am pleased to provide these in the Annex to this circular.

For those countries which have not responded, the questionnaire may be obtained from the International Bureau or at the following web address (French and English versions only):

<http://www.upu.int/etoe/fr/index.shtml> (French)

<http://www.upu.int/etoe/en/index.shtml> (English)

Member countries are invited to send additions or changes to the current information to the International Bureau. Any new responses or changes will be published periodically in future circulars. In addition, a document containing all responses will be published on the above web page and will be regularly updated.

If you have any comments/queries about any of the above, please contact:

Regulatory Affairs Programme  
Directorate of Economic and Regulatory Affairs  
International Bureau  
Universal Postal Union  
P.O. Box  
3000 BERNE 15  
SWITZERLAND  
Tel: (+41 31) 350 33 95  
Fax: (+41 31) 350 31 10  
E-mail: [won-ja.lee@upu.int](mailto:won-ja.lee@upu.int)

Yours faithfully,

Edouard DAYAN  
Director General

Responses to circular letter 2102(DER.PAR)1473 of 29 November 2004

Questionnaire concerning the national legislation or policy of UPU member countries on ETOEs

Question Country (Organization)	1 Does your country agree to the application of the UPU Acts in respect of items received from ETOEs?	2 Does your country's legislation or national policy authorize the establishment of ETOEs on your country's territory?	2.1 If so, does your country's legislation or national policy authorize the use of UPU documentation for ETOE operations relating to outward mails?	2.2 Contact to obtain agreement to establish an ETOE	Contact for more information on national policy
Angola (Ministerio dos Correios e Telecomunicações Direcção nacional dos Correios)	No, as there are no provisions enabling ETOE-related matters to be resolved.	No Our legislation has no provisions allowing the establishment of this type of management.	N/A		Direcção Nacional dos Correios (DNC) Rua Major Kanhangulo, 130 Rés-de-chão Caixa Postal 1219 LUANDA ANGOLA
Austria (Federal Ministry of Transport, Innovation and Technology Supreme Postal Authority)	No See IB Circular 25 of 17 January 2005.	National legislation neither prohibits nor regulates the establishment of ETOEs.	N/A		Federal Ministry for Transport, Innovation and Technology Supreme Postal Authority Ghegastrasse 1 1030 VIENNA AUSTRIA
Bahrain (Ministry of Transportation Postal Directorate)	Yes	No	N/A		Ministère du commerce et de l'industrie P.O. Box 5479 BAHRAIN ROYAUME DE BAHRAIN Tel: (+973) 17 531 531 Fax: (+973) 17 530 455
Belarus (Ministère des postes, telecommunications et de l'informatisation)	Yes	No	N/A		
Belize (Belize Postal Service)	Yes	No	N/A		Postmaster General General Post Office BELIZE CITY BELIZE
Bolivia (Empresa de Correos de Bolivia)	Has no policy on ETOEs.	N/A	N/A		
Bosnia and Herzegovina (Ministry of Communications and Transport)	Postal law not yet established but authorities are seeking to establish procedures for ETOEs.	N/A	N/A		

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Burkina Faso (Société Nationale des Postes)	Yes	No	N/A		Ministère des postes et télécommunications 01 BP 5175 OUAGADOUGOU 01 BURKINA FASO
Burundi (Ministère des transports, postes et télécommunications Régie nationale des postes)	No	No	N/A		Ministère des transports, postes et télécommunications Direction de la Régie nationale des postes (RNP) B.P. 258 BUJUMBURA BURUNDI
Cameroon (Administration postale Ministère des postes et télécommunications)	No	No	N/A		
Canada (Canada Post)	No Canada Post systematically and immediately returns by surface all incoming ETOE dispatches. Please consult Circular 448 of 22 December 2003 for more information.	No The Canadian Government has in no way, nor at any time, agreed to the establishment of any ETOEs on Canadian soil. Any ETOEs operating in Canada are doing so illegally.	N/A No ETOEs are authorized. Only Canada Post may validly use UPU documentation out of Canada.	Canada Post Corporation is the competent body, as it is the Canadian Government's designated entity for all matters relating to the UPU. However, no such agreement will be forthcoming.	
Chad (Société tchadienne des postes et de l'épargne)	This matter is still being discussed at national level. A final answer has not yet been given.	There are no provisions concerning the establishment of ETOEs in Chad.	N/A		
China (State Post Bureau)	Yes	No In accordance with China's national legislation and policy, no other countries or operators are authorized to establish ETOEs within China.	N/A		
Congo (Rep.) (Direction générale de l'Administration centrale des postes et télécommunications)	No	No	N/A		DGACPT B P 2490 BRAZZAVILLE CONGO

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Costa Rica (Correos de Costa Rica)	Yes	No	N/A		CORREOS DE COSTA RICA S.A Gerencia General Centro Postal Zapote SAN JOSE COSTA RICA
Cuba (Correos de Cuba)	Yes	No	N/A		
Denmark (Faerdselsstyrelsen Road Safety and Transport Agency)	Yes	Yes Under Danish legislation, ETOEs are obliged to register with the National Regulator like any other postal business.	Yes	Faerdselsstyrelsen Postal Supervisory Department Adelgade 13 P.O. Box 9039 1304 COPENHAGEN K DENMARK	
El Salvador (Dirección General Correo Centro de Gobierno)	Yes This is deemed necessary for terminal dues payments for the processing of items.	No There are no legal documents authorizing or governing the operation of ETOEs on our territory.	N/A		Ministerio de Gobernación Centro de Gobierno SAN SALVADOR EL SALVADOR
Ethiopia (Ethiopian Postal Service)	No	No	N/A		Ministry of Infrastructure Ethiopian Postal Service P.O. Box 1629 ADDIS ABABA ETHIOPIA
Fiji (Post Fiji Ltd.)	Yes	Establishment of ETOEs not yet considered.	N/A		
Finland (Finnish Communications Regulatory Authority)	Yes Provided that the conditions stated in Annex 2 are fulfilled.	Yes Postal operations that fall within the scope of the Postal Services Act require a licence granted by the Finnish Government.	Yes The insignia of the letters and dispatches clearly show the name of the ETOE and the information relating to the postal administration operating it.	Ministry of Traffic and Communications P.O. Box 31 00020 Government FINLAND	
Gambia (Post Office Department General Post Office)	No	No	N/A		Permanent Secretary Department of State for Works, Communications and Information M.D.I. Road, Kanifing K.S.M.D. BANJUL GAMBIA
Germany (Federal Ministry of Economics and Labour)	Yes	Yes	Yes		

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Ghana (Ghana Post Company)	No	No	N/A		The Hon. Minister Ministry of Communications P.O. Box M 38 ACCRA GHANA
Gibraltar (Gibraltar Post Office)	Yes	No	N/A		Mr. Richard Beards Finance Director Gibraltar Post Office 104 Main Street GIBALTAR
Great Britain (Royal Mail Group Plc)  (See IB Circular 372 of 20 December 2004)	No In accordance with resolution C 48/2004, ETOE traffic is commercial and should be charged at domestic retail/commercial rates (as appropriate) in the country of destination.	Yes Great Britain has a fully liberalized outbound cross-border mail market.	No To the extent that UPU documentation implies access to terminal dues rates.	For authorization and licensing issues: POSTCOMM Hercules House Hercules Road London SE1 7DB GREAT BRITAIN  For rates and access to services: Royal Mail Diane Burdon 148 Old Street LONDON, EC1U 9HQ GREAT BRITAIN	
Greece (Hellenic Post – ELTA)	No See IB Circular 46 of 31 January 2005.	Yes Nevertheless, outbound mail from Greece falls within the reserved area and a special licence is needed to provide services falling within the universal service context.	We believe that this probably has to do with the bilateral arrangements between ETOEs and the receiving PPOs.	National Postal Regulatory Authority (EETT) And Ministry of Transport and Telecommunications 2 Anastasseos Street GR-101 91 ATHENS GREECE	
Hungary (National Communication Authority)	No	Yes Not explicitly regulated, but Hungarian postal legislation does not exclude their establishment.	No	National Communication Authority Ostrom utca 23 25 P.O. Box 75 H-1525 BUDAPEST HUNGARY	

\* In agreement with the Department of Trade and Industry (DTI).

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Iceland (Ministry of Communications)	Yes Subject to the provisions of article 23 of the Bucharest Convention.	Yes Subject to a licence from Post- and Telecom Administration.	Yes Subject to clear identification of the dispatching ETOE (IMPC code).	Post and Telecom Administration of Iceland Sudurlandsbraut 4 108 REYKJAVIK ICELAND	
Iran (Post Company of Islamic Republic of Iran)	No	No	N/A		
Ireland (Department of Communications, Marine and Natural Resources)	Ireland currently applies UPU Acts to items received from ETOEs. However, in the light of the decisions taken at the Bucharest Congress in relation to the treatment of mail from ETOEs, Ireland is currently reviewing this situation and may at a future stage decide to treat the mail from ETOEs as commercial mail and provide ETOEs with the opportunity of negotiating a contract with the national postal operator for the delivery of mail from ETOEs.	While there is no specific legislation governing the establishment of ETOEs, Statutory Instrument SI No 616 of 2002 "European Communities (Postal Services) Regulations 2002" provides for Postal Service Authorizations. This legally requires a postal service provider with an annual turnover of more than 500,000 EUR to apply to the Postal Regulator for an authorization to provide a postal service in Ireland. The granting of an authorization is subject to a number of conditions, including quality of service, and to an undertaking not to infringe on the area reserved for the universal service provider.	At present, this is the case. However, as mentioned in question 1, this practice is currently being reviewed in consultation with the universal service provider and could be changed in the future.	Commission for Communications Regulation Abbey Court Irish Life Centre Lower Abbey Street DUBLIN 1 IRELAND	
Italy (Ministero delle Comunicazioni)	No	No Italian legislation does not include any specific provisions on the establishment of ETOEs. Setting up operations on Italian territory is regulated by the provisions in force in Italy regarding competitors, authorizations and licences.	N/A		Ministero delle comunicazioni Direzione generale del settore postale Ufficio 2 Viale America, n. 201 00144 ROME ITALY
Jamaica (Ministry of Commerce, Science and Technology)	ETOEs are not being considered at this time.	No	N/A		

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Japan (Ministry of Internal Affairs and Communications)		No See IB Circular 501 of 3 December 2001.	No	N/A		
Jordan (Jordan Post Company)		Yes	Yes	Yes	Organisation de Gestion du secteur des communications	
Kuwait (Ministry of Communications, Post Sector)		No	Yes	No	Ministère des communications P.O. Box 888 Safat KUWAIT 13009 KUWAIT	
Laos (Entreprises des Postes Lao)		No	No	N/A		Ministry of Communications and Transport Posts and Construction Jawaharlal Nehru Street 01000 VIENTIANE LAOS
Lebanon (Ministère des communications (Postes))		No	No	N/A	There is no national legislation that approves the creation of ETOEs.	
Lithuania (Ministry of Transport and Communications)		No According to national legislation ETOEs operate as commercial units.	Yes Permission required, in accordance with national legislation.	No	National Communications Regulatory Authority Algirdo g. 27 LT-03219 VILNIUS LITHUANIA <a href="http://www.rtt.lt">www.rtt.lt</a>	
Luxembourg (Institut Luxembourgeois de Régulation)		Yes The application of standardized UPU procedures enables organized and profitable mail exchanges between ETOEs and the traditional operator. It also enables current remuneration principles to be maintained.	Yes, but in total compliance with the legislation governing the sector.	Yes This use greatly facilitates the operational aspect of mail exchanges and all the subsequent phases of statistical compilation and accounting.	Institut Luxembourgeois de Régulation 2922 LUXEMBOURG LUXEMBOURG	
Madagascar (Paositra Malagasy)		Yes These items should be subject to terminal dues and commercial customs clearance procedures in the country of destination.	No	N/A		Directeur du Suivi Secteur Poste Ministère des télécommunications, des postes, et de la communication Antananarivo 101 ANTANANARIVO MADAGASCAR

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Maldives (Maldives Post Ltd.)	No				
Mauritius (Mauritius Post Ltd.)	Yes	No	N/A		General Manager Mauritius Post L'd. 3 Dumas Street PORT LOUIS MAURITIUS
Mexico (Servicio Postal Mexicano)	Yes Provided that the ETOEs are legally established on the territory of the country in which they operate, and the terminal dues to which we would be entitled are not affected.	No In accordance with the Mexican Constitution, the postal service comes under the Mexican State and is operated by the postal administration of Mexico.	N/A		Subsecretaria de Comunicaciones Centro SCT Xola esq. Universidad Col. Narvarte 03028 Mexico, D.F. MEXICO
Moldova (Posta Moldovei State Corporation)	No	No	N/A		
Morocco (Département de la Poste, des Télécommunications et des Technologies de l'Information Ministère de l'Industrie, du commerce et des télécommunications)	No	No	N/A		
Mozambique (Empresa nacional de correios do Mozambique Gabinete das relações internacionais)	No	No	N/A		
Namibia (Namibia Post Ltd.)	Yes	Yes	Yes	Namibia Post Ltd. P.O. Box 287 WINDHOEK NAMIBIA	



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Nepal (Ministry of Information and Communications Postal Services Department)	ETOE policy not yet defined.	N/A	N/A		
Netherlands (Ministry of Economic Affairs)	Yes	Yes	Yes	Ministry of Economic Affairs P.O. Box 20101 2500 EC THE HAGUE NETHERLANDS	
New Zealand (New Zealand Post Limited)	Please see International Bureau Circular 197/2003. The policy states (inter alia) that mail is accepted in accordance with CA resolution 17/2001 and that all mail received from an ETOE in an industrialized country will be charged at industrialized country rates – irrespective of whether the ETOE is operated by an administration of an industrialized or developing country.	National legislation neither prohibits nor regulates the establishment of ETOEs.	This issue is not covered by national legislation.	No permission is required.	
Nigeria (Nigerian Postal Service)	No	No	N/A		Ministry of Communications Federal Secretariat Complex Shehu Shagari Way GARKI – ABUJA NIGERIA
Norway (Ministry of Transport and Communications)	Yes Within the limits of UPU resolution C 44/Bucharest 2004.	Yes Permission from Ministry of Transport and Communications is required.	Yes	Ministry of Transport and Communications P.O. Box 8010 DEP 0030 OSLO NORWAY	
Oman (Ministry of Transport and Communications)		No	N/A		
Pakistan (Pakistan Postal Services Management Board)	No	No	N/A		Chairman, Postal Services Management Board and Director General, Pakistan Post Sector G-8/4 ISLAMABAD 44080 PAKISTAN

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Panama (Dirección General de Correos y Telégrafos)	No	No	N/A		
Paraguay (Dirección General de Correos)	Yes	No	N/A		
Philippines (Philippine Postal Corporation)	No	No	N/A		
Poland (Ministry of Infrastructure)	Yes	Please see Annex 2.	Yes	For registration as postal operator: Office of Telecommunication and Postal Regulation ul. Kasprzaka 18/20 01 211 WARSAW POLAND For registration as foreign entrepreneur, contact the district court with jurisdiction over a branch office's seat.	
Portugal (ANACOM – Autoridade Nacional de Comunicações)	No, because the UPU Acts apply only to the universal postal service provider designated by the Portuguese State. In this connection, the universal postal service provider agrees to deliver items received from an ETOE on the basis of a commercial contract providing for the presentation and remuneration of this mail under the same conditions as for other domestic customers. The contractual, operational and financial association requires documentation and specific procedures provided by the universal service provider which do not fall within the scope of the UPU.	No, because ETOEs – being of a commercial nature – are governed by the licensing system in force and service providers other than the universal service provider. In this connection, it should be emphasized that both outbound and inbound international mail fall within an area which is still reserved for the universal postal service provider.	N/A		ANACOM (Régulateur portugais) Av. José Malhoa, 12 1099 017 LISBOA PORTUGAL

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Saint Lucia (Saint Lucia Postal Service)	Yes	No	N/A		Permanent Secretary Ministry of External Affairs and International Trade CASTRIES SAINT LUCIA cc: Ministry of Communications & Works
Saudi Arabia (Entreprise des postes saoudiennes)	No, due to the material disadvantages of ETOEs for our services, and to the lack of knowledge as to the mail's exact point of origin and dispatching entity (office, administration).	No In accordance with national legislation, it is not permitted to establish ETOEs on the national territory. These offices act as remailing offices. They generate losses, both for service users and in respect of the terminal dues collected by DCs.			
Seychelles (Postal Services Division Department of Finance)	No	No	N/A		
South Africa (Department of Communications)	No South African legislation does not provide for ETOEs.	No The establishment of ETOEs is not authorized under South African legislation.	N/A		The Ministry Department of Communications Private Bag X860 PRETORIA 0001 SOUTH AFRICA
Spain (Subdirección General de Regulación de Servicios Postales)	No There is no legal basis for applying the UPU Acts to ETOEs.	Yes, but as a normal private operator. The Spanish regulations do not explicitly provide for ETOEs. Therefore, the Spanish NRA cannot authorize the establishment of an ETOE as such. Nevertheless, and as per above, those firms are considered to be private operators, and must apply for an Administrative Authorization (Licence) from the NRA, under "non-discrimination" principles. See UPU Circular 56 of 16 February 2004.	No	Ministerio de Fomento Subdirección General de Regulación de los Servicios Postales Paseo de la Castellana, 67 28071 MADRID SPAIN	

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Sudan (Corporation publique des postes et télégraphes)	No	No	N/A		
Swaziland (Swazipost)	Yes	No	N/A		The Minister of Tourism, Environment and Communications P.O. Box 58 MBABANE SWAZILAND
Sweden (Ministry of Industry, Employment and Communications)	Yes	Yes	Yes Postal Services Act, Section 23 24, regulating international postal operations.	National Post and Telecom Agency P.O. Box 5398 102 49 STOCKHOLM SWEDEN	
Tajikistan (Administration de la Communication)	Yes	Current legislation does not provide for the establishment of ETOEs on the territory of the Republic of Tajikistan	N/A		Département de l'Etat "La poste de Tadjikistan" Rue Abu Ali ibn Sina, 42/2 743058 DOUCHANBE TADJIKISTAN Vice-Ministre, I.Ou. Ousmanov
Tanzania (Tanzania Communications Regulatory Authority)	No	No	N/A		Tanzania Communications Regulatory Authority 304 Ali Mwinyi/Nkomo Road P.O. Box 474 DAR ES SALAAM TANZANIA
Thailand (Thailand Post Co., Ltd.)	Yes Our administration agrees to the application of the UPU Acts in respect of items received from ETOEs, provided that the dispatch of items via an ETOE does not result in a decrease in remuneration in terms of the terminal dues received by Thailand Post for the delivery of those items, including, where applicable, the payment for the Quality of Service Fund.	No According to the Postal Act B.E. 2477 (1934), the Government has the monopoly on establishing posts and post offices within the Kingdom. This privilege shall be reserved to Thailand Post, which has an exclusive right and duty to establish posts and post offices, as the Minister may deem reasonable.	N/A		Mr. Dhiraphongs Suddhinond, President Thailand Post Co., Ltd. 111 Chaeng Watthana Road Laksi District BANGKOK 10210 0299 THAILAND

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Togo (Autorité de réglementation des secteurs de postes et de télécommunications)	Yes	No	N/A		Autorité de réglementation des secteurs de postes et de télécommunications Boîte postale 358 LOME TOGO
Ukraine (Comité d'Etat pour les communications et l'informatisation)	Ukraine's national legislation does not provide for ETOEs and there are no plans for them to operate on the national territory.	N/A	N/A		
United States of America (IO/T Bureau of International Organization Affairs US Department of State)	No In late 2001, the United States of America adopted a policy in respect of the acceptance of inbound items tendered by ETOEs located in other countries. In accordance with this policy, ETOEs should be treated in the same manner as other private companies with which they compete, and ETOE items destined for the United States of America cannot be accepted by the USPS on the basis of UPU documentation and for compensation at UPU terminal dues rates. The USPS will deliver inbound items from an ETOE under domestic rates, terms and conditions, and upon payment of domestic postage rates.	There is no legislation specifically addressing ETOEs. In accordance with US policy, ETOEs are strictly commercial entities that should not be able to access postal networks under the terms of the UPU Acts since they are not treaty-based services fulfilling a country's obligations under the UPU Acts. Currently, US policy neither explicitly authorizes nor prohibits the establishment of ETOEs in the USA. ETOEs that operate in the USA should, however, operate under the same terms as any other commercial operator.	The enforcement of US policy concerning the use of UPU documentation and postal customs clearance procedures in connection with outbound dispatches tendered by ETOEs is currently under review.	The US asks those public or private operators that intend to establish ETOE operations in the US to advise the following agencies and points of contact of an intention or plan to establish an ETOE in the US. Information to be provided shall include the full name of the operator, street address, telephone, fax and e-mail of the person or persons responsible for the ETOE operations in the US. Existing ETOE operators should also provide this information to the following contacts: 1 U.S. Department of State Dennis Delehanty Director for Postal Affairs Office of Technical Specialized Agencies (IO/T) Bureau of International Organization Affairs Room 5333 U.S. Department of State WASHINGTON DC 20520 6319 USA Tel: (+1 202) 647 4197 Fax: (+1 202) 647 8902 E-mail: <a href="mailto:delehantydm@state.gov">delehantydm@state.gov</a>	

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United States of America Cont.				2 United States Postal Service Bruce Marsh USPS International Postal Affairs 1735 N. Lynn Street, Suite 6043 Arlington, VA 22209 USA Tel: (+1 703) 292 3570 Fax: (+1 703) 292 4030 E-mail: <a href="mailto:bruce.r.marsh@usps.gov">bruce.r.marsh@usps.gov</a>	
Uruguay (Unidad Reguladora de Servicios de Comunicaciones – URSEC)	No	Within the framework of free competition, legislation does not provide for the establishment of ETOEs on the national territory.	It is considered that such items should be treated as commercial items.	Each case should be studied separately. Where appropriate, the Uruguayan regulator should be contacted at the following address: URSEC Uruguay 988 CP 11200 MONTEVIDEO URUGUAY	
Venezuela (Instituto Postal Telegráfico de Venezuela – IPOSTEL)	Yes See Annex 2.	No The law on the creation of IPOSTEL, published in Official Journal (Gaceta Oficial) No 5398 of 26 October 1999, stipulates that IPOSTEL may establish necessary offices and subsidiaries abroad, but does not expressly provide for this type of office on the national territory.	N/A		Instituto Postal Telegráfico de Venezuela IPOSTEL Av. José Lamas – San Martín Centro Postal Caracas VENEZUELA
Yemen (General Posts and Postal Savings Authority)	No	No	N/A		
Zimbabwe (Zimbabwe Post PVT Ltd.)	No	No	N/A		

## **Finland**

Conditions of the postal administration of Finland for accepting ETOE mail in accordance with the UPU Acts

Generally, mail exchanges in accordance with the UPU Acts are based on reciprocity. This does not exist for ETOE mail, and other operators or third parties cannot be discriminated against.

### **1 Postage and dispatch insignia**

All insignia must show which postal operator runs the ETOE, and the latter's name and location. This information is needed to determine who pays the terminal dues, and to deal with possible returns.

### **2 Terminal dues**

The postal administration of Finland will charge the same terminal dues it would have charged if the mail had been sent by the postal administration (public postal operator) of the country in which the ETOE is located.

Terminal dues for mail from all "old" EU countries will be determined in accordance with the REIMS Agreement, and those for mail from the "new accession" EU countries in accordance with REIMS East – where the latter exists. Otherwise, REIMS will also be used for the "new accession" countries.

### **3 Returns**

The postal administration of Finland does not make ETOE dispatches. In order to serve customers (i.e. the sender), mail should be returned to the country where the sender resides.

The free return of mail is based on reciprocity, which in this case does not exist. Therefore, the postal administration of Finland will charge normal tariffs for returned mail.

### **4 Dispatches, format separation and dispatch lists**

The traffic composition, frequency and other variables will, in all probability, differ from the "normal" traffic from the country in which the ETOE is located and from that of the postal administration operating the ETOE.

Consequently, for ETOE mail, the postal administration of Finland cannot use fixed IPKs or statistics and sampled IPKs that apply to other traffic flows. For the above reasons, it is neither feasible nor cost-effective to carry out sampling on ETOE mail to the required extent.

Therefore, mail from ETOEs to Finland has to be formatted separately, into P, G and E formats (for checking purposes). Each dispatch should have a dispatch list for each format type, including the number and weight of the items. (Most ETOE mail is from medium-sized and large customers, and is computer generated and mainly from mailing houses.)

## 5 *Items posted abroad i.e. ABA and ABC mail*

Mail items from ETOEs to Finland have to originate from a sender in the country where the ETOE is located. If that is not the case, the postal administration will in all cases charge for ABA and ABC mail the terminal dues set out in article 43 of the Beijing Convention and, once the Bucharest Acts have entered into force, those set out in the corresponding article of the Convention. (This also concerns mail from all EU countries.)

## 6 *Quality of service link*

Once a technical solution has been found for QOS monitoring of ETOE mail, the postal administration of Finland requires ETOE mail to be part of the QOS-link system.

ETOE mail from all EU countries has to fulfil the EU Postal Directive and the European Commission Decision on Third-Party Access. Therefore, ETOEs located in the European Union have to take part in the prevailing EU measurement scheme, which is currently UNEX (run by IPC).

## **Poland**

In the Polish legal system, there are no direct regulations concerning ETOEs.

Economic regulations permit foreign entrepreneurs to establish branch offices in Poland. In accordance with Art. 85 of the Act of 2 July 2004 on Freedom of Economic Activity (Dz.U. Nr 173, poz. 1807), foreign entrepreneurs may establish branch offices with their registered office within the territory of the Republic of Poland in order to conduct economic activities with Poland. Foreign entrepreneurs establishing a new branch office may conduct economic activities only within the defined scope of business for foreign entrepreneurs (Art. 86 of the Act on Freedom of Economic Activity). In accordance with Art. 88 of the Act on Freedom of Economic Activity, foreign entrepreneurs may launch economic activities in a branch office only after registering the branch office with the Register of Entrepreneurs. The rules governing the recording of entries in the Register of Entrepreneurs are the subject of the provisions of the Act of 20 August 1997 on the National Court Register (Dz.U. Nr 17/2001, poz. 209, with subsequent amendments).

The conduct of postal activities is subject to additional requirements, namely an authorization or entry on the Register of Postal Operators, regulated by the Postal Law of 12 June 2003 (Dz.U. Nr 130, poz. 1188, with subsequent amendments). Postal activities cannot be provided in the area reserved for the State Enterprise "Poczta Polska" (defined in Art. 47 of the Postal Law).

## **Venezuela**

In accordance with the provisions of the preamble to the UPU Constitution, the Venezuelan Constitution indicates that the standards adopted within the framework of integration agreements at international level will be deemed an integral part of the legal system in force, and will thus directly and preferentially apply in domestic legislation.

In this connection, the postal law in force expressly indicates that mail – as a public service – will be governed by the provisions of national legislation and the provisions of the postal conventions, agreements and treaties ratified by Venezuela.



In the light of the above, provision of the Venezuelan postal service at international level is subject to the provisions of the international treaties signed and ratified by Venezuela, without however conflicting with the application of standards and procedures which differ from those prescribed in the UPU Acts.

Consequently, operational, remuneration and accounting procedures, as well as the use of forms relating to postal exchanges via ETOEs, should be adapted to the practices internationally accepted and set out in the UPU Acts.